

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

MCHENRY EXCAVATING INC.
Employer

and

Case 25-RC-255764

INTERNATIONAL UNION OF OPERATING
ENGINEERS, LOCAL 150, AFL-CIO
Petitioner

and

NATIONAL ALLIED WORKERS UNION,
LOCAL 831
Intervenor

ORDER

The Employer's and Intervenor's Requests for Review of the Regional Director's Decision on Objections, Order Setting Aside Election, and Direction of Re-Run Election are denied as they raise no substantial issues warranting review.¹

JOHN F. RING,

CHAIRMAN

WILLIAM J. EMANUEL,

MEMBER

LAUREN McFERRAN,

MEMBER

Dated, Washington, D.C., October 27, 2020.

¹ In denying review, we do not rely on the Regional Director's citation to *Foster Poultry Farms*, 352 NLRB 1147 (2008), as it is a two-member Board decision. See *New Process Steel, L.P. v. NLRB*, 560 U.S. 674 (2010).